

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**DECLARATION OF SANFORD MENCHER IN SUPPORT OF COX'S
REPLY IN SUPPORT OF ITS MOTION TO SEAL**

I, Sanford Mencher, hereby declare:

1. I am presently employed by Cox Communications, Inc. ("Cox") as Vice President of Finance and Accounting, a position I have held since January 2013. I make this declaration in support of Defendant's Reply in Support of Its Motion to Seal. Except where otherwise indicated, I have personal knowledge of the facts stated in this declaration, and if called as a witness, could testify competently to the matters contained herein.

2. I am responsible for ensuring the accuracy and timeliness of Cox's accounting and production of financial statements. My duties also focus on managing Cox's financial planning and conducting financial analysis to improve overall performance. I am knowledgeable about the data Cox maintains to assess its financial performance.

3. Assessing financial performance requires analyzing variances to the forecasts and budgets I and my team set. I do this by analyzing past performance to forecast future financial


performance. Part of assessing financial performance involves reviewing how many customers Cox has, certain revenue data, costs incurred, dividends paid, and other key financial information.

4. The slides and testimony that are the subject of Cox's Motion to Seal expose highly confidential information about Cox's finances that it does not and has never publicly shared, including Cox's revenue and net profit in 2014 for its high speed internet, video, and voice businesses, as well as the amount of dividends paid from 2012-2014 and revenue on a per subscriber basis. In the testimony Cox is seeking to seal, these numbers are discussed in detail.

5. This financial information is critical to Cox's success as a business and Cox considers it to be a trade secret. If it were to be made public, it could seriously harm Cox's competitive standing in the market. Competitors would be given access to detailed financial information concerning Cox's performance, like Cox's profit margins and expenses, that would give them an unfair advantage in the marketplace.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed at ATLANTA, GA.

Date: February 13, 2020


Sanford Mencher